

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**CHAVEZ PRICE,**

**Plaintiff,**

**v.**

**SGT. GARNER, LT. TANNER, J. ENGE,  
AND FIVE MAN TEAM,**

**Defendants.**

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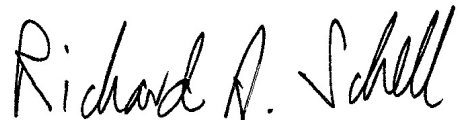
**CIVIL ACTION NO. 6:18-CV-00074-RAS**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On April 1, 2019, the Magistrate Judge issued his Report and Recommendation (Doc. No. 41), recommending this action be dismissed with prejudice for purposes of proceeding *in forma pauperis*. No objections to the Report and Recommendation have been presented for consideration within the prescribed time period for such objections. Therefore, the court adopts the Report and Recommendation of the United States Magistrate Judge (Doc. No. 41) as the findings of this court.

Accordingly, it is **ORDERED** that Defendants' motion for summary judgment on the issue of exhaustion of administrative remedies (Doc. No. 34) is **GRANTED** and this action is **DISMISSED WITH PREJUDICE** for purposes of proceeding *in forma pauperis*. Any other pending motions are **DENIED** as **MOOT**.

**SIGNED this the 21st day of May, 2019.**



**RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE**